

**U.S. District Court  
Southern District of Indiana (Indianapolis)  
CIVIL DOCKET FOR CASE #: 1:22-cv-02283-SEB-MJD**

WILLIS v. INFRASTRUCTURE AND ENERGY ALTERNATIVES,  
INC.

Assigned to: Judge Sarah Evans Barker

Referred to: Magistrate Judge Mark J. Dinsmore

Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 11/28/2022

Date Terminated: 05/26/2023

Jury Demand: Plaintiff

Nature of Suit: 442 Civil Rights: Jobs

Jurisdiction: Federal Question

Discovery Deadline:

Dispositive Motion Deadline:

Settlement Conference:

Final Pretrial Conference:

Trial Date:

**Plaintiff**

**TOMMY WILLIS**

represented by **Christopher S. Wolcott**  
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*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**INFRASTRUCTURE AND ENERGY  
ALTERNATIVES, INC.**

represented by **Caitlin S. Schroeder**  
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Date Filed	#	Docket Text
11/28/2022	<u>1</u>	COMPLAINT <i>and Jury Demand</i> against INFRASTRUCTURE AND ENERGY ALTERNATIVES, INC., filed by TOMMY WILLIS. (Filing fee \$402, receipt number AINSDC-7386965) (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Proposed Summons)(Wolcott, Christopher) (Entered: 11/28/2022)
11/28/2022	<u>2</u>	NOTICE of Appearance by Christopher S. Wolcott on behalf of Plaintiff TOMMY WILLIS. (Wolcott, Christopher) (Entered: 11/28/2022)
11/29/2022	<u>3</u>	Summons Issued as to INFRASTRUCTURE AND ENERGY ALTERNATIVES, INC. (DJH) (Entered: 11/29/2022)
11/29/2022	<u>4</u>	MAGISTRATE JUDGE's NOTICE of Availability to Exercise Jurisdiction issued. (DJH) (Entered: 11/29/2022)
03/20/2023	<u>5</u>	NOTICE of Appearance by Caitlin S. Schroeder on behalf of Defendant INFRASTRUCTURE AND ENERGY ALTERNATIVES, INC.. (Schroeder, Caitlin) (Entered: 03/20/2023)
03/20/2023	<u>6</u>	NOTICE of Appearance by Robert F. Seidler on behalf of Defendant INFRASTRUCTURE AND ENERGY ALTERNATIVES, INC.. (Seidler, Robert) (Entered: 03/20/2023)
03/20/2023	<u>7</u>	Rule 7.1 Disclosure Statement by INFRASTRUCTURE AND ENERGY ALTERNATIVES, INC.. (Seidler, Robert) (Entered: 03/20/2023)
03/20/2023	<u>8</u>	NOTICE of Parties' First Extension of Time re Filing a response to pleading defined by Fed. R. Civ. P. 7(a), filed by Defendant INFRASTRUCTURE AND ENERGY ALTERNATIVES, INC.. (Seidler, Robert) (Entered: 03/20/2023)
03/27/2023	<u>9</u>	SCHEDULING ORDER:Telephonic Initial Pretrial Conference set for 4/27/2023 02:00 PM (Eastern Time) before Magistrate Judge Mark J. Dinsmore. Counsel shall attend the conference by calling the designated telephone number, to be provided by the Court via email generated by the Court's ECF system. The parties shall file a proposed Case Management Plan ("CMP") on or before April 24, 2023. Section III(A) through (E) of the proposed CMP shall include the following deadlines (see Order for established deadlines and additional information). Signed by Magistrate Judge Mark J. Dinsmore on 3/27/2023.(SWM) (Entered: 03/27/2023)
04/19/2023	<u>10</u>	MOTION to Amend/Correct <u>1</u> Complaint , filed by Plaintiff TOMMY WILLIS. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Exhibit Amended Complaint)(Wolcott, Christopher) (Entered: 04/19/2023)
04/19/2023	<u>11</u>	RESPONSE to Motion re <u>10</u> MOTION to Amend/Correct <u>1</u> Complaint <i>Defendant's Response Not Opposing Plaintiff's Motion to Amend</i> , filed by Defendant INFRASTRUCTURE AND ENERGY ALTERNATIVES, INC.. (Seidler, Robert) (Entered: 04/19/2023)
04/20/2023	<u>12</u>	MOTION <i>Defendant's Motion for Relief from Obligation to Answer or Respond, Given Plaintiff's Motion to Amend</i> , filed by Defendant INFRASTRUCTURE AND ENERGY ALTERNATIVES, INC.. (Attachments: # <u>1</u> Text of Proposed Order)(Seidler, Robert) (Entered: 04/20/2023)
04/20/2023	<u>13</u>	

		ORDER granting Plaintiff's <u>10</u> Motion to Amend Complaint – Plaintiff shall file his Amended Complaint, in substantially the same form as that found at Docket Number 10–2, on or before April 24, 2023. The Court notes that Plaintiff's motion erroneously states that a pretrial conference has not yet been set in this case. In fact, as Defendant notes, an initial pretrial conference is scheduled on April 27, 2023. See [Dkt. 9]. Signed by Magistrate Judge Mark J. Dinsmore on 4/20/2023. (SWM) (Entered: 04/20/2023)
04/21/2023	<u>14</u>	ORDER – This matter is before the Court on Defendant's Motion for Relief from Obligation to Answer or Respond, Given Plaintiff's Motion to Amend. [Dkt. <u>12</u> ]. The motion is GRANTED. Plaintiff has now been granted leave to file his amended complaint; Defendant shall respond to Plaintiff's amended complaint on or before May 8, 2023. Signed by Magistrate Judge Mark J. Dinsmore on 4/21/2023. (SWM) (Entered: 04/24/2023)
04/24/2023	<u>15</u>	AMENDED COMPLAINT <i>and JURY DEMAND</i> against INFRASTRUCTURE AND ENERGY ALTERNATIVES, INC., filed by TOMMY WILLIS.(Wolcott, Christopher) (Entered: 04/24/2023)
04/24/2023	<u>16</u>	MOTION to Withdraw Attorney Appearance , filed by Plaintiff TOMMY WILLIS. (Attachments: # <u>1</u> Text of Proposed Order)(Wolcott, Christopher) (Entered: 04/24/2023)
04/24/2023	<u>17</u>	NOTICE of Appearance by Robert F. Seidler on behalf of Defendant INFRASTRUCTURE AND ENERGY ALTERNATIVES, INC.. (Seidler, Robert) (Entered: 04/24/2023)
04/24/2023	<u>18</u>	NOTICE of Appearance by Caitlin S. Schroeder on behalf of Defendant INFRASTRUCTURE AND ENERGY ALTERNATIVES, INC.. (Schroeder, Caitlin) (Entered: 04/24/2023)
04/24/2023	<u>19</u>	Rule 7.1 Disclosure Statement by INFRASTRUCTURE AND ENERGY ALTERNATIVES, INC.. (Seidler, Robert) (Entered: 04/24/2023)
04/24/2023	<u>20</u>	CASE MANAGEMENT PLAN TENDERED, filed by Defendant INFRASTRUCTURE AND ENERGY ALTERNATIVES, INC. . (Seidler, Robert) (Entered: 04/24/2023)
04/25/2023	<u>21</u>	ORDER VACATING TELEPHONIC INITIAL PRETRIAL CONFERENCE: In light of Plaintiff's counsel's <u>16</u> Motion to Withdraw his representation of Plaintiff, the Court, <i>sua sponte</i> , hereby VACATES the 4/27/2023 telephonic initial pretrial conference scheduled <u>9</u> in this matter. The initial pretrial conference will be reset for a later date pending the resolution of counsel's <u>16</u> Motion to Withdraw. *SEE ORDER.* Signed by Magistrate Judge Mark J. Dinsmore on 4/25/2023. (GD) (Entered: 04/25/2023)
04/25/2023	<u>22</u>	SCHEDULING ORDER – TELEPHONIC <i>EX PARTE</i> HEARING: Plaintiff's counsel's Motion to Withdraw <u>16</u> is set for a Telephonic <i>Ex Parte</i> Hearing on 5/4/2023 at 3:00 PM (Eastern Time). <b>Plaintiff Tommy Willis is ordered to appear by telephone</b> , along with his counsel of record Christopher Wolcott. Plaintiff's counsel is ordered to serve this Scheduling Order and the call–in information on Plaintiff Tommy Willis and file proof of such service by no later than 4/28/2023. *SEE ORDER.* Signed by Magistrate Judge Mark J. Dinsmore on 4/25/2023. (GD) (Entered: 04/25/2023)
04/26/2023	<u>23</u>	CERTIFICATE OF SERVICE by TOMMY WILLIS <i>re: Court Hearing on Motion to Withdraw</i> (Attachments: # <u>1</u> Exhibit)(Wolcott, Christopher) (Entered: 04/26/2023)
05/05/2023	<u>24</u>	ORDER REGARDING PROTECTIVE ORDERS – SEE ORDER. Signed by Magistrate Judge Mark J. Dinsmore on 5/5/23.(JRB) (Entered: 05/05/2023)
05/05/2023	<u>25</u>	SCHEDULING ORDER:This matter is set for a telephonic pretrial conference on Tuesday, May 30, 2023 at 10:30 a.m. (Eastern). The purpose of the conference is to discuss the further development of this action and schedule a settlement conference. Counsel shall attend the conference by calling the designated telephone number, to be provided by the Court via email generated by the Court's ECF system. Signed by Magistrate Judge Mark J. Dinsmore on 5/5/23.(JRB) (Entered: 05/05/2023)

05/05/2023	<u>1</u> <u>26</u>	ORDER: CASE MANAGEMENT PLAN APPROVED AS AMENDED Dispositive Motions due by 1/8/2024. Discovery due by 12/8/2023.. Signed by Magistrate Judge Mark J. Dinsmore on 5/5/23.(JRB) (Entered: 05/05/2023)
05/05/2023	<u>1</u> <u>27</u>	<i>Answer and Defenses to Plaintiff's Amended Complaint</i> ANSWER to <u>15</u> Amended Complaint , filed by INFRASTRUCTURE AND ENERGY ALTERNATIVES, INC..(Seidler, Robert) (Entered: 05/05/2023)
05/05/2023	<u>1</u> <u>28</u>	MOTION to Transfer Case <i>Defendant's Motion to Transfer Venue</i> , filed by Defendant INFRASTRUCTURE AND ENERGY ALTERNATIVES, INC.. (Seidler, Robert) (Entered: 05/05/2023)
05/05/2023	<u>1</u> <u>29</u>	BRIEF/MEMORANDUM in Support re <u>28</u> MOTION to Transfer Case <i>Defendant's Motion to Transfer Venue</i> , filed by Defendant INFRASTRUCTURE AND ENERGY ALTERNATIVES, INC.. (Attachments: # <u>1</u> Exhibit 1 – Signed Charge of Discrimination, # <u>2</u> Exhibit 2 – Declaration of Handell, # <u>3</u> Exhibit 3 – Declaration of Alfredson, # <u>4</u> Exhibit 4 – Declaration of Toledo)(Seidler, Robert) (Entered: 05/05/2023)
05/05/2023	<u>1</u> <u>30</u>	MINUTE ORDER for proceedings held before Magistrate Judge Mark J. Dinsmore: Telephonic <i>Ex Parte</i> Hearing held on 5/4/2023 re <u>16</u> Plaintiff's counsel's Motion to Withdraw. Withdrawal of Plaintiff's counsel would also materially adversely affect the efficient resolution of this matter by the Court. Accordingly, the Court DENIES <u>16</u> counsel's motion for leave to withdraw his appearance for Plaintiff. Unless new counsel for Plaintiff appears, Mr. Wolcott shall continue to represent Mr. Willis in this matter through final judgment in this case. *SEE ORDER.* Signed by Magistrate Judge Mark J. Dinsmore. (GD) (Entered: 05/09/2023)
05/22/2023	<u>1</u> <u>31</u>	NOTICE OF CONSENT, filed by Plaintiff TOMMY WILLIS, re <u>28</u> MOTION to Transfer Case <i>Defendant's Motion to Transfer Venue</i> . (Wolcott, Christopher) (Entered: 05/22/2023)
05/22/2023	<u>1</u> <u>32</u>	NOTICE re: <i>Discovery / Initial Disclosure / Other Deadlines</i> , filed by Plaintiff TOMMY WILLIS (Wolcott, Christopher) (Entered: 05/22/2023)
05/23/2023	<u>1</u> <u>33</u>	ORDER REGARDING THE PARTIES' "NOTICE" – On May 22, 2023, the parties filed a "Notice" which purports the stay the deadlines in the Court's approved Case Management Plan. [Dkt. 32.] That submission is a nullity. As noted, the Case Management Plan is an order of the Court [Dkt. 26 at 11], and the parties may not stipulate to stay deadlines set forth in a court order. In any event, the early case deadlines—initial disclosures, preliminary witness and exhibit lists, etc.—will need to be completed regardless of the court in which this matter is pending. Accordingly, the Court expects compliance with the deadlines set forth in the Case Management Plan [Dkt. 26], notwithstanding any agreement by the parties to the contrary. Signed by Magistrate Judge Mark J. Dinsmore on 5/23/23.(JRB) (Entered: 05/23/2023)
05/23/2023	<u>1</u> <u>34</u>	Submission of Proposed Order , re <u>28</u> MOTION to Transfer Case <i>Defendant's Motion to Transfer Venue</i> , filed by Defendant INFRASTRUCTURE AND ENERGY ALTERNATIVES, INC.. (Seidler, Robert) (Entered: 05/23/2023)
05/26/2023	<u>1</u> <u>36</u>	NOTICE of Appearance by Zachary A. Ahonen on behalf of Defendant INFRASTRUCTURE AND ENERGY ALTERNATIVES, INC.. (Ahonen, Zachary) (Entered: 05/26/2023)
05/26/2023	<u>1</u> <u>37</u>	CLOSED TRANSFER to Southern District of Texas, Houston Division – This matter is before the Court on motion by Defendant IEA Constructors, LLC, to transfer this matter to the Southern District of Texas, Houston Division, under 28 U.S.C. 1404(a). (Filing No. <u>28</u> .) Plaintiff Tommy Willis does not oppose the motion. (Filing No. <u>31</u> .) For the reasons set forth in Defendant's Motion and Plaintiff's Consent, the Court GRANTS the motion. This matter is hereby transferred to the Southern District of Texas, Houston Division. Signed by Judge Sarah Evans Barker on 5/26/2023. (JSR) (Entered: 05/26/2023)

05/26/2023	<u>138</u>	Transfer Letter to Clerk of the Southern District of Texas. Case transferred electronically to Southern District of Texas on 5/26/2023. (JSR) (Entered: 05/26/2023)
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